

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Thomas Juliano	Team: Squad #12	CCRB Case #: 201607274	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 07/26/2016 7:54 AM	Location of Incident: § 87(2)(b)	Precinct: 107	18 Mo. SOL 1/26/2018	EO SOL 1/26/2018	
Date/Time CV Reported Wed, 08/24/2016 11:48 AM	CV Reported At: CCRB	How CV Reported: In-person	Date/Time Received at CCRB Wed, 08/24/2016 11:48 AM		
Complainant/Victim	Type	Home Address			
Witness(es)	Home Address				
Subject Officer(s)	Shield	TaxID	Command		
1. POM Gary Aaronson	25534	927822	107 PCT		
Witness Officer(s)	Shield No	Tax No	Cmd Name		
1. POM Marvin Cyril	14465	957505	107 PCT		
Officer(s)	Allegation			Investigator Recommendation	
A.POM Gary Aaronson	Abuse: Police Officer Gary Aaronson refused to provide his name and shield number to § 87(2)(b)				

Case Summary

On August 24, 2016, § 87(2)(b) filled a complaint in-person with the CCRB.

On July 26, at 7:54 a.m., § 87(2)(b) who was § 87(2)(b) in Queens, called 911 to report that she was being followed. Police Officer Gary Aaronson and Police Officer Marvin Cyril, from the 107th Precinct, responded to the call and spoke to § 87(2)(b) in her office. § 87(2)(b) requested PO Aaronson's and PO Cyril's name and shield number. PO Aaronson refused to provide his name and shield number to § 87(2)(b) (**Allegation A**).

No arrests or summonses resulted from this incident.

There is an audio recording of this incident. Below is a segment of the recording. The entire recording can be found at (**Board Review 1**).



201607274_20160926_1014_DM.mp4

Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate as she never wants to see the officer again.
- On October 20, 2016, an inquiry was filed with the New York City Comptroller's Office to locate a notice of claim for § 87(2)(b). Results are pending. (**Board Review 2**)
- Office of Court Administration (OCA) records show no criminal convictions for § 87(2)(b) in the city of New York. (**Board Review 3**)

Civilian and Officer CCRB Histories

- This is § 87(2)(b)'s first complaint. (**Board Review 4**)
- PO Aaronson has been a member of the NYPD for fifteen years. PO Aaronson has no substantiated CCRB complaints.

Findings and Recommendations

Allegation A -Abuse: Police Officer Gary Aaronson refused to provide his name and shield number to § 87(2)(b)

It is undisputed that this was the second interaction within the span of a few § 87(2)(b) between § 87(2)(b) and PO Aaronson. It is also undisputed that § 87(2)(b) called I.A.B. regarding her previous encounter with PO Aaronson. § 87(2)(b) requested the name and shield number from PO Aaronson and PO Cyril. PO Cyril provided his name and shield number and PO Aaronson refused to provide his information. § 87(2)(b) later received the name and shield number from § 87(2)(b). (**Board Review 5**)

The audio evidence contains the following exchange:

§ 87(2)(b) "Before we start can I also write down your badge number and information?"

PO Cyril: "Cyril, 14465"

§ 87(2)(b) “And your information sir?”

PO Aaronson: “You don’t need mine, you don’t even want it. You don’t even want me in your office. How rude are you? I don’t understand. I came here to take a report for you and you’re telling me to leave your office.” **(Board Review 6) (Board Review 7)**

PO Aaronson initially denied that § 87(2)(b) asked directly for his name and shield number. He stated that he gave his name and shield number at the front desk upon entering, and again when § 87(2)(b) asked § 87(2)(b) to obtain the information, which he provided. After listening to the audio recording PO Aaronson said that his recollection was refreshed and that § 87(2)(b) did ask for his name and shield number, and that he did not provide it. Furthermore, PO Aaronson stated that it was possible that he was blocking his shield and name plate with his arm because he often pulls on the collar of his vest in the summer because of heat. PO Aaronson stated that he did not give § 87(2)(b) his name and shield number because she already knew who he was and he was trying to explain that he was there to help her. **(Board Review 8)**

PO Cyril initially denied that § 87(2)(b) asked directly for his, or PO Aaronson’s name and shield number. PO Cyril stated that he gave his name and shield number twice to school safety agents, but that § 87(2)(b) never directly requested the information. However, after listening to the audio recording PO Cyril said that his recollection was refreshed and that § 87(2)(b) did ask for his and PO Aaronson’s name and shield number, and that PO Aaronson did not provide his information. **(Board Review 9)**

Patrol Guide Procedure 203-09 states that officers must “courteously provide [their] rank, name, shield number, and command, or otherwise provide them, to anyone who requests [them] to do so. Allow the person ample time to note this information” **(Board Review 10)**

§ 87(2)(g)

Squad:

Investigator: _____
Signature Print Date

Squad Leader: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

